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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/414,483	10/08/99	KARALIC	247P1US

020577  
LONG AND CAMERON  
1100 MELVILLE STREET  
SUITE 920  
VANCOUVER BC V6E 4A6  
CANADA

PM82/0913

AIR MAIL

EXAMINER

CHAVEZ, P

ART UNIT PAPER NUMBER

3635

DATE MAILED: 09/13/00

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

# Office Action Summary

Application No.  
**09/414,483**

Applicant(s)  
**Meho Karalic**

Examiner  
**Patrick J. Chavez**

Group Art Unit  
**3635**



☒ Responsive to communication(s) filed on Oct 8, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-14 is/are pending in the applicat

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1-14 is/are rejected.

☐ Claim(s) \_\_\_\_\_ is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 13 is objected to because of the following informalities: line 3, "reenforcement" appears to be a misspelled word. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 3, 9 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regards to claim 12, the preamble of the method claim recites dependence from claim 1. However, claim 1 is drawn to a building

Claim 3 recites the limitation "said barrier" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 9 recites the limitation "said heat insulating barrier" in lines 3-4. There is insufficient antecedent basis for this limitation in the claim.

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***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

5. Claims 1, 3-6, 8-11 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by KarisAllen et al. (US Patent 6,105,321).

In Figures 1-9, the '321 reference teaches of lengths of lumber which can be assembled into a frame that have a fiber reinforced composite material, 14, secured entirely to at least one side of the frame members.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 7 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over KarisAllen in view of Reynolds (US Patent 4,671,032).

KarisAllen reveals the wood composite structure as discussed above, but does not teach of foam insulation placed within the frame to form a heat insulating barrier. Reynolds reveals a

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structural frame with foam insulation panels, 12, adhered to the frame members. Thus forming a heat insulation barrier between the opposing sheets of foam insulation material. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the frame assembly of KarisAllen with the foam insulation panels of Reynolds so as to provide a more comfortable interior.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick J. Chavez whose telephone number is (703) 306-5706.



Carl D. Friedman  
Supervisory Patent Examiner  
Group 3600



PJC

September 11, 2000